

Before special election the Board of Supervisors shall issue proclamations concerning County elections and transmit copies of the same to the several Boards of Supervisors throughout their County; such proclamation shall be posted in the manner required by law.

5. *Voting laws required for the election of County officers shall be furnished by the Board of Supervisors, and boxes to be marked County Officers.*

6. The County Clerk shall prepare ballots containing the names of the persons to be voted for as County officers, the form, number and method of printing shall be as required by law, said ballot to be printed upon green paper, and said ballot shall be forwarded to the Board of Supervisors within the time prescribed by law.

10. Upon receiving returns of election the County Clerk shall immediately tabulate the same and ascertain the result of the election; such tabulation shall be made in the presence of sixty constituents or his agents who desire to be present. The number of persons to be elected having the highest number of votes shall be declared, and the County Clerk shall immediately deliver to the persons elected certificates of election. All expenses for the election of County officers shall be borne by the County.

11. *Six candidates directly interested or any thirty days preceding commencement of any election district may file a petition in the Circuit Court in the County setting forth any cause or causes why an election should be delayed and/or the decision of the Board of Supervisors of County Clerk reversed or changed, and the procedure for the conduct of said contest of election so far as applicable shall be provided by Sections 1009 to 1014, inclusive, of the Civil Laws of 1887, said Circuit Court shall report its findings and judgment in said contest to the Board of Supervisors of the County. If such finding shall be that the election was invalid, or if the candidate otherwise defeated has to make good a contest, a special election shall be called by the Board of Supervisors in all expense so caused, or in case it shall be found that some other person was chosen the Board of Supervisors shall grant such person a certificate of election.*

FIRST SECTION.

Section 12. The first election for County officers shall be held on the second day of January, and the polls shall be opened at noon noon, until 12 o'clock on the first Monday in January, 1885. The general laws and rules governing elections of members and representatives of the Territory shall govern whenever applicable.

3. A proclamation for the first election of County officers shall be made by the Governor at least thirty (30) days prior to the date of said election. Said proclamation shall call for an election in each County, and in other respects shall be the same as the proclamation now required to be issued for holding general elections. Such proclamation shall be published in the papers and required to be read for the publication of proclamation for general elections.

4. *Provisions for County officers to be elected at such election shall be made in the same manner and within the same time and under the authority of the Territory as is now or hereafter to be made relative to nominations for Senators and Representatives.*

5. It shall be the duty of the Secretary of the Territory to appoint terms for each County and fix the same to the respective offices of Sheriff in each County. The term, number and method of printing shall be as required by law. The Secretary of the Territory shall furnish for each election suitable forms to be used in the same.

6. An special Board of Registration shall be required for the registration of voters for County officers, and such voter may register before the Board of Registration provided by the laws of the Territory relative to the election of Senators and Representatives. The methods and voting rules established by the laws of the Territory for the election of Representatives and Senators shall constitute the practice and voting rules for this election.

7. All persons duly registered under the laws of the Territory relative to the election of Representatives and Senators at the last general election shall be qualified to vote for County officers at this election.

8. *Provisions of election shall perform all the duties in relation to the election required by law except that the information required to be transmitted to sheriffs shall be transmitted to the Sheriff of the Territory.*

9. Immediately upon receiving the returns of election from day, hour and minute of reception, and issue therefor to the person of the Sheriff shall indicate such returns and ascertain the name of the party, title of paper and time when received of election in such County. The person receiving the same shall record the name of voter in such County shall be directed to be retained, and the Sheriff shall immediately deliver to the in law.

10. *Persons receiving the same shall record the name of voter in such County, and if he fails to make return of the same without delay, a special affidavit to the same shall be prepared for the Sheriff which shall be held in the manner required for this purpose.*

11. *Elections of election may be held as provided in Section 13 of this Act.*

REMOVAL OF OFFICERS.

Section 13. All County officers may be removed for malfeasance or misadministration in office. The Board of Supervisors of each County shall constitute a Board of Impeachment for the trial of all elected officers of the County who may be charged with malfeasance or misadministration in office by not less than Tenants Five (50) legal voters within the County. Board of Impeachment shall have power to hear and determine and sustain, and if the same be sustained, to remove and disqualify or elect a new officer and to set the election or proceeding by the appointment of some qualified person in the said office for the unexpired term thereof. Provided, however, that in case of the removal of a member of the Board of Supervisors, the vacancy so created shall be filled by appointment of the Governor for the remainder of the unexpired term of such member.

Section 14. Vacancies in office occurring by the death, resignation or removal of an officer from the County shall be filled by appointment of the Board of Supervisors unless such vacancy is in the Board of Supervisors, and in such case such vacancy shall be filled by the appointment of the Governor for the remainder of the unexpired term of such member.

Section 15. The Board of Supervisors of each County shall keep general supervision and control of all the public affairs of their respective counties and the supervision of all subordinate officers and without prejudice to the foregoing general supervision have the following specific powers:

1. To be the masters of all appointed County officers, and begin processes against them.

2. To appoint other subordinate officers as they may deem proper.

3. To audit and supervise the expenditure of all public funds received from all sources.

4. To enforce all claims on behalf of the County and appropriate all lawful claims against the County.

5. To regulate by ordinance within the limits of the County, all local police, sanitary and other regulations not in conflict with the general laws of the Territory, or rules and regulations of the Territorial Board of Health, and fix a penalty for the violation of said ordinances.

6. To regulate by ordinance the transportation, storage and use of all explosive and inflammable oils, and fix a penalty for violation of said ordinances.

7. Subject to the limitations contained in this Act to execute all contracts, and to do all things necessary and proper to carry into execution the general powers of the County.

8. To have all the powers concerning the opening of highways now exercised by the Superintendent of Public Works.

9. To exercise the authority of the Superintendent of Public Works concerning pounds and brands.

10. To direct the levying and collecting of taxes for County purposes as authorized and limited by law.

11. To direct the levying and collection of taxes for Territorial purposes as required by law.

12. It shall be the duty of the Board of Supervisors on the first day of January, to prepare a budget or estimate of expenditures for salaries and payrolls and for public improvements within their respective Counties. The combined expenditures shall not exceed Five (5) Mills on each dollar of the total assessed value of the real and personal property within such County.

13. The board shall not for any purpose contract debts or liabilities which exceed in any fiscal year the income and revenue provided for such year.

14. It shall be the duty of said Board to direct the Assessor and Tax Collector to assess, levy and collect a tax upon the real and personal property sufficient to provide funds for the estimated expenditures of the County within the limitation herein expressed.

15. A majority of the members of the Board of Supervisors shall constitute a quorum for the transaction of business; but in order to pass any ordinance or to order the disposal of any property of the County, to execute any contract or to approve the budget or estimate of expenditures, or remove an officer, or all members, it shall be necessary that such ordinance or order shall receive the approval of a majority of the elected members of the Board.

16. The Board shall hold regular meetings for the transaction of public business beginning on the first Tuesday in each month and continuing in session for as many days as the transaction of such business may require, and it shall call such special meetings as may be necessary for the public welfare.

SHERIFF.

Section 16. Subject to the special provisions of this Act, the County Sheriff of each County shall have and exercise all the powers, privileges and authority, and be required to perform all the duties in his own jurisdiction, the same being the County to which he shall have been elected, as are now by law provided to be had, exercised and performed by the High Sheriff of the Territory or by the Sheriff of the various Islands respectively and shall have such other powers and duties as are by this Act conferred and which may be provided by any law hereafter enacted by legislative authority; Provided, however, that nothing in this Act contained shall be construed to vest in the Sheriff of the various counties respectively, the care, custody or control of any Territorial jail, house of correction or penitentiary, or the care and custody of any of the prisoners committed to such.

Section 17. He shall—

1. Preserve public peace;

2. Arrest and take before the nearest qualified Magistrate for examination all persons who attempt to commit, or who have committed, a public offence, and shall prosecute the same under the direction of the County Attorney;

3. Prevent and suppress affrays, brawls, riots and insurrections;

4. Attend all Circuit Courts held within the County, and obey all lawful orders and directions of all courts held within the County;

5. In an emergency requiring the same, command the aid of as many male inhabitants of the County as he may think necessary in the execution of his duties;

6. Take charge of and keep the County Jail, and prisoners committed to his charge;

7. Endorse upon all processes and notices the year, month, day, hour and minute of reception, and issue therefor to the person of the Sheriff and return such and ascertain the name of the parties, title of paper and time when received of election in such County. The person receiving the same shall record the name of voter in such County shall be directed to be retained, and the Sheriff shall immediately deliver to the in law;

8. Certify, under his hand, upon every process or notice, that there has been a failure of election of any the manner and time of service, or if he fails to make service the reason of his failure, and return the same without delay;

9. The Sheriff and his deputies shall be ex officio County Attorneys; and, as such, shall have all the powers and perform all the duties now provided by law for such officer.

Section 18. When a process or notice is returned to another County, he may return such process or notice in an envelope, addressed to the office from which the same emanated and deposit it in the post office preparing postage.

Section 19. No Sheriff or authority by a party or his attorney to a Sheriff, in respect to the execution of process or return thereof, or to any act or omission relating thereto, is entitled to discharge or excuse the Sheriff from liability for neglect or misconduct unless by writing, signed by the attorney of the party, or by the party, if he has no attorney.

Section 20. When the Sheriff is a party to an action or proceeding, the process and orders therein, which it would otherwise be the duty of the Sheriff to execute shall be executed by a Constable or Deputy Sheriff; provided, when any action is begun against the Sheriff, all process and orders may be served by any person, a citizen of the United States, of age twenty-one years, appointed by the Court or Judge for that purpose.

COUNTY CLERK AND RECORDER.

Section 21. The County Clerk shall—

1. Take charge of, safely keep or dispose of according to law, all books, papers and records which may properly be filed in his office;

2. Be the official Clerk of the Board of Supervisors and, as such, perform the following duties:

(a) Record all the proceedings of the Board;

(b) Make full entries of all their resolutions and decisions on all questions concerning the raising of money for and allowing of accounts against the County;

(c) Record the acts of each member on any question upon which there is a division, or at the request of any member necessary for the public service;

(d) Immediately after adjournment of each meeting of the Board, certify all demands allowed and orders made for the payment of money, stating the amount and date of each demand;

(e) Issue a copy of the same to the Board of Supervisors;

(f) File and preserve the reports of the County Treasurer of the receipts and disbursements of the County;

(g) Authenticate with his signature and seal of the County, the proceedings of the Board whenever the same shall be ordered published;

(h) Record all orders levying taxes;

(i) Perform all other duties required by law, or any rule or order of the Board.

or order, and the date of the allowance thereof, which demands or orders shall be countersigned by the Chairman of the Board, and thereafter the Clerk shall deliver the same to the Auditor;

(j) File and preserve the reports of the County Treasurer of the receipts and disbursements of the County;

(k) Preserve and file a memorandum of all accounts acted upon by the Board;

(l) Authenticate with his signature and seal of the County, the proceedings of the Board whenever the same shall be ordered published;

(m) Record all orders levying taxes;

(n) Perform all other duties required by law, or any rule or order of the Board.

Liber. Folio. Date of Record. No. of Award. R. P. or G. Land District Island.

Section 22. He shall, within twenty-four hours after a deed or other instrument which he is by law required to record is left for record, cause the name of each and every grantor, grantee or other party thereto to be entered at length and alphabetically in its appropriate index, and shall also within a reasonable time after such deed or instrument is recorded, affix to such entry the number of the book and leaf or page where it is recorded.

Section 23. When an instrument, by which one person by authority of law transfers or conveys the real or personal estate of another person, is left for record and is entitled to be recorded, the County Recorder shall enter in his grantor index book both the name of the person making such transfer and conveyance, and that of the person whose estate is so transferred or conveyed, provided that the latter name appears in such instrument. When a return of commissioners appointed to make partition of real estate is left for record, the County Recorder shall enter in both his grantor and grantee indexes the names of all persons whose estates plainly appear to be effected by such return.

Section 24. The County Recorder shall, on application, accept and file in the archives of his office, on the payment of a fee of one dollar, any plan of land, but such plan must contain the name of the owner of the land, and his address, the maker's name and address, date of survey, scale, the North point, areas, and the names of adjoining owners. All such plans must be on tracing cloth.

Section 25. The County Recorder shall provide and maintain fire-proof rooms with suitable alcoves, cases and boxes for the safe-keeping of all records, files, papers and documents belonging to the several registers of deeds; and such records and documents shall be securely kept in the places so provided.

Section 26. Every County Recorder to whom an instrument, proved or acknowledged according to law, or any paper or notice entitled by law to be recorded, is delivered for record, shall

(a) Neglects or refuses to record such instrument, paper or notice within a reasonable time after receiving the same;

(b) Records any instrument, paper or notice, wilfully or negligently, mutely or in any other manner than is hereinbefore directed;

(c) Neglects or refuses to keep in his office such indexes as are required by this Act, or to make the proper entries thereon;

(d) Alters, changes or obliterates any records deposited in his office, or inserts any new matter therein;

(e) Is liable to the party aggrieved for twice the amount of the damage occasioned thereby;

Section 27. Every person who takes and carries away any book of record, paper or written document belonging to the records or files of any registry office, or who defaces, alters or mutilates, by mark, crease, cutting, or otherwise, any such record, paper or written document, shall forfeit a sum not exceeding Fifty Dollars for each offense; and every person who after demand made by the clerk entitled by law to have possession of books of record and other documents mentioned hereinbefore, wrongfully retains the same, shall forfeit Fifty Dollars, the same to be recovered by suit, in the name of the County, and deposited with the Treasurer as a County realization.

Section 28. The Recorder shall record with the record of deeds, grants and transfers, all certified copies presented to him of final judgments or decrees partitioning or effecting the title or possession of real property, any part of which is situate in the County of which he is recorder.

Section 29. Every such certified copy of partition, from the time of filing the same with the Recorder for record, imparts notice to all persons of the contents thereof; and subsequent purchasers, mortgagees and lienholders, purchase and take with like notice and effect as if such copy of decree was a duly recorded deed, grant or transfer.

Section 30. All books of record, maps, charts, surveys and other papers on file in the Recorder's office shall during office hours be open for inspection by any person, without charge; and the Recorder shall be provided with proper facilities by the Board of Supervisors to that end, that the books of record and indexes in his office shall be arranged in suitable places to facilitate inspection.

Section 31. Each County Recorder shall be entitled to demand and receive the following fees, which shall be paid into the County Treasury as a County realization, viz:

1. For the registry of any deed, lease, mortgage or other instrument required by law to be recorded, or presented for record, thirty cents for each one hundred words or parts thereof;

2. For taking any acknowledgment preparatory to registry one dollar for each party signing;

3. For every copy of any instrument recorded in his office authenticated by his seal of office, thirty cents for each one hundred words or parts thereof;

4. For recording the records and giving the certificate required by law, fifty cents for each year searched, or part thereof.

COURT AUDITOR.

Section 32. The Auditor shall issue warrants on the County Treasurer, in favor of persons entitled thereto, in payment of claims and demands chargeable against the County, which have been legally examined, allowed and ordered paid by the Board of Supervisors. The Auditor shall also issue warrants on the County Treasurer for all debts and demands against the County, when the amounts are fixed by law, or authorized by law to be allowed by some person or tribunal other than the Board of Supervisors.

Section 33. All warrants shall distinctly specify the liability for which they are drawn, and when the same accrued.

Section 34. The Auditor shall examine and settle the accounts of all persons, or officers indebted to the County or holding monies payable into the County Treasury, certify, in duplicate, the amount to the Treasurer and upon the return to him of one of such certificates, with the Treasurer's receiving stamp properly affixed thereto, give to such persons a receipt and discharge, and charge the Treasurer with the amount so received by him.

Section 35. The Auditor shall keep accounts current with the Treasurer, and when any person deposits with the Auditor a properly stamped voucher, as hereinbefore provided, for any money paid into the Treasury, the Auditor shall file such voucher, and charge the Treasurer with the amount thereof.

Section 36. All warrants issued by the Auditor during each year, commencing with the first Monday after the first day of January, shall be numbered consecutively, the number, date and amount of each, the name of the person to whom payable and the purpose for which drawn, stated thereon; and they shall, at the time they are issued, be registered by him,